

within the knowledge of the attending physician or midwife—namely, whether the birth is legitimate or illegitimate—and, except in case of illegitimacy, the full name, residence, color or race, birthplace, age and occupation of the father, also the maiden name in full, residence, color or race, birthplace, age, and occupation of the mother, the number of this child of the mother, and the number of her living children, has been held to be unconstitutional as requiring the physician or midwife to search out non-professional information without compensation, and as being not a valid exercise of the police power because unnecessary, unreasonable, and arbitrary."

And it is further stated:

"Some courts, however, have taken the view that a statute requiring on birth or death certificates information not within the personal knowledge of the physician is a valid exercise of the legislative discretion, but that the physician is required thereunder only to make a bona fide effort to secure the information, and that having done so, he is not liable for a penalty."

The California statute gives no indication as to who is a "physician" within the meaning of the section requiring the attending physician to file a birth certificate. In Maryland it has been held that a duly licensed and registered osteopath is to be considered a physician within the meaning of the Vital Statistics statute, unless the statute expressly precludes the acceptance of a certificate signed by an osteopath.

The California Vital Statistics statutes impose an additional requirement on attending physicians in the case of still-born children. In the case of a still-born child who has advanced to the fifth month of uterogestation, a certificate of still-birth must be filed with the local Registrar, just as in the case of a death certificate. Health and Safety Code, Section 10328 provides that the medical certificate of still-birth shall be signed by the attending physician and shall state the cause of the still-birth, if known.

## LETTERS †

### Concerning "A Central Medical Registry":

(COPY)

THE AMERICAN REGISTRY OF PATHOLOGY  
Under the Auspices of National Research Council  
Registry Office: Army Medical Museum  
Washington 25, D. C.  
Washington, D. C., July 30, 1945.

To the Editor:—We wish to express hearty agreement with the ideas advanced by Dr. Askey in your June number, on page 317, concerning the need for a central medical registry.

The Army Institute of Pathology, under the aegis of the National Research Council and various national medical societies, for some time has been maintaining 13 Registries, the first of which was founded by Colonel George R. Callender in 1922. Material is received from pathologists throughout this country and overseas, and one of the Registries (Bladder Tumor) now includes specimens from nearly 5,000 patients, who have been followed up yearly. These data will soon be ready for exhaustive and definitive analysis. It is only by pooling experience and material that accurate basis for making prognoses can be established and the natural history of diseases studied. We should like to impress on readers of your JOURNAL that material relevant to the Registry fields (General Tumor, Dermal, Lymphatic, Ophthalmic, Otolaryngological, Bladder, Kidney, Prostate, Chest, Dental and Oral, Neuropathologic, Orthopedic, Veterinary and Gerontologic) should be forwarded to the Institute.

† CALIFORNIA AND WESTERN MEDICINE does not hold itself responsible for views expressed in articles or letters when signed by the author.

Representative examples of the specimens entered in each Registry have been used to prepare Study Sets and Atlases, which are in constant use by physicians preparing for specialty Board examination or reviewing fields of particular interest. These materials may be borrowed on application to the Institute Director, Army Institute of Pathology, Army Medical Museum, Washington 25, D. C.

(Signed) J. E. ASH,  
Colonel, Medical Corps,  
Director.

### Concerning Taxation of X-Ray Films or Negatives:

For reference to the exact wording of the California Board of Equalization's revised ruling, a copy of the Board's letter of June 11, 1945, is printed below. (For reference in this issue of C. and W. M., see page 135.)

(COPY)

STATE BOARD OF EQUALIZATION  
STATE OF CALIFORNIA  
Sales Tax Division

Sacramento 14, June 11, 1945.

Peart, Baraty & Hassard,  
111 Sutter Street,  
San Francisco 4, California.

Attention: Mr. Hartley F. Peart.

Gentlemen:

This is with reference to our previous correspondence regarding the application of Sales and Use Tax Ruling 23, Subdivision C, as amended April 1, 1945, to x-ray laboratories operated by radiologists.

We have advised our staff that the tax applies to the fair retail value of x-ray pictures or negatives only when there is an actual sale, i.e., transfer of title, by the producer thereof. If the producer retains ownership of the pictures or negatives, he is the consumer of film and other materials used in their production, and the tax is therefore applicable with respect to the sale of such materials to him.

We believe that the foregoing will clarify many of the problems that are currently arising with respect to the application of the ruling.

Very truly yours,  
(Signed) E. H. STETSON,  
Associate Tax Counsel.

### Concerning "Bulletin" of Alameda County Medical Association:

(COPY)

ALAMEDA COUNTY MEDICAL ASSOCIATION  
364 Fourteenth Street, Oakland 12, California  
Oakland, August 14, 1945.

George H. Kress, M.D., Editor, Addressed.

Dear Doctor Kress:

Thanks for your generous remarks regarding our first issue of "The Bulletin" of the Alameda County Medical Association.

These have been received from all parts of the Nation...

Seriously, however, we realize that there are a number of things regarding "The Bulletin" that need very much to be improved, and shall look forward to timely criticism, bouquets, or brickbats whenever they are deserved.

Cordially yours,  
ALAMEDA COUNTY MEDICAL ASSOCIATION,  
Milton H. Shutes, Editor,  
(Signed) ROLLEN W. WATERSON,  
Executive Secretary.